

**CERTIFICATE OF MAILING 37 C.F.R. 1.10**

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Date 4.23.02 Signature Nichelle M Pleasant

Date \_\_\_\_\_

Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Applicant:

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**Confirmation No.: 7559**

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SANJAY KUMAR

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LAKHVIR LAL

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PARAMVIR SINGH AHUJA

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Filed: March 31, 2001

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Art Unit: 1645

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Serial No.: 09/823,887

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Examiner:

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For: CLONING OF NOVEL GENE  
SEQUENCES EXPRESSED AND  
REPRESED DURING WINTER  
DORMANCY IN THE APICAL  
BUDS OF TEA (CAMELLIA  
SINENSIS L. (O.) KUNTZE)  
BUSH

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Docket No.: 059996.1985

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**RESPONSE TO NOTICE TO COMPLY**  
**MAILED FEBRUARY 25, 2002**

U.S. Patent and Trademark Office  
**BOX SEQUENCE**  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

The present paper is submitted as a complete response to the Notice to Comply with Requirements for Patent Applications containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed February 25, 2002 having a period of response of two months, to April 25, 2002. The present paper is timely filed since it is being filed prior to or on the date for response. Should an extension of time be due, this paper is such a request. No fees

are believed due with the filing of the present documents, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for the filing of the present documents, the Commissioner is hereby authorized to deduct said fees from Deposit Account No. 16-2435.

Please amend the above-identified patent application as indicated below.

### AMENDMENT

#### In the Specification

Please delete substitute SEQUENCE LISTING pages 1-11, submitted on January 28, 2002, and insert substitute sequence listing pages 1 - 9.

### REMARKS

The amendment to the specification deletes sequence listing pages 1 - 11 submitted on January 28, 2002 and inserts substitute sequence listing pages 1 - 9, thereby correcting the errors listed in the Notice to Comply. The change in the computer readable form of the listing simply is the insertion of hard returns to correct the formatting errors in the sequence listing submitted on January 28, 2002.

Filed concurrently herewith is a statement under 37 CFR 1.821 (f) & (g), a computer readable copy of the substitute sequence listing, and a paper copy of the substitute sequence listing. The substitute sequence listing information recorded in computer readable form is identical to the written substitute sequence listing. No new matter has been added to the specification by the substitute sequence listing.

Respectfully submitted,

  
Dwayne L. Mason, Reg. No. 38959  
ATTORNEY OR AGENT OF RECORD

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